

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

UNITED STATES OF AMERICA,

v.

CHRISTOPHER AUNDRE FAULKNER

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No. 3:18-CR-0500-B

**UNOPPOSED MOTION TO WITHDRAW AS COUNSEL**  
**AND APPOINT NEW CJA COUNSEL**

COMES NOW, CJA Appointed Counsel KEVIN B. ROSS and KRISTEN BECKMAN, on behalf of Defendant Christopher A. Faulkner, and requests the Court allow Counsel to withdraw from further representation of Mr. Faulkner and appoint new CJA counsel to undertake the sentencing phase of Mr. Faulkner's case.

On August 16, 2019, undersigned counsel was appointed to represent Mr. Faulkner on this complex and large-scale fraud case. Counsel assembled a team of lawyers and retained the expert services of Dan James to conduct digital forensic review of electronic evidence and coordinate discovery. Mr. James's services also include the role of a Certified Fraud Examiner and case investigator. Counsel and the legal team have worked through the discovery, analyzed the elements of the offense, facts of the case, and engaged in high level plea negotiations with the Government which culminated in Mr. Faulkner accepting a plea agreement and entering his guilty plea to Counts 1, 2 and 21 of the 21-Count Superseding Indictment.

On December 1, 2020, at his Change of Plea hearing, the Court accepted Mr. Faulkner's guilty plea to Counts 1, 2, and 21 and the plea agreement. Sentencing is currently set for April 1, 2021.

Good cause exists for allowing the withdrawal of Kevin Ross and Kristen Beckman as counsel for Mr. Faulkner and the appointment of new CJA counsel. Granting the withdrawal of Mr. Ross and Mrs. Beckman would not result in delay and would be in the best interest of the parties and the final resolution of the case. The attorney/client relationship, to work effectively, requires that a client and counsel be able to work together towards a common goal that is in the best interest of the client. Up to the point of Mr. Faulkner's guilty plea, Counsel and Mr. Faulkner were able to effectively work together to achieve a plea agreement that Mr. Faulkner agreed was in his best interest rather than going to trial. However, there is now a divergence in approach and philosophy in how to best achieve Mr. Faulkner's goals for the sentencing phase of his case. Counsel believes that effective communication between he and Mr. Faulkner, for the sentencing phase, is deteriorating and will continue to do so to the detriment of the case. Counsel and Mr. Faulkner have differing views in how to best approach sentencing which will be detrimental to effective attorney-client relations. Allowing undersigned Counsel to withdraw at this stage and appoint new CJA counsel will not unduly prejudice Mr. Faulkner. Moreover, this motion to withdraw is mutually requested by Counsel and Mr. Faulkner.

Understanding the nature of the case and wanting to assist in a smooth transition to competent counsel to represent Mr. Faulkner, Counsel would ask that the court consider appointing AARON L. WILEY as new CJA counsel in this cause to replace current Counsel so that the case can proceed in a timely and effective manner. Counsel has spoken to Mr. Wiley regarding taking over the representation of the Mr. Faulkner as CJA counsel in this case for sentencing purposes. Mr. Wiley is agreeable to representing Mr. Faulkner understanding the nature of the case and that the case is now in the sentencing phase, should the Court be agreeable. By the appointment of Mr. Wiley as new counsel such should not unduly delay the progress of this case and will also enable a smooth transition of counsel for Mr. Faulkner. Mr.

Faulkner and Counsel have spoken regarding Mr. Wiley further representing Mr. Faulkner's case, and Mr. Faulkner is requesting that Mr. Wiley be appointed and the Court allow attorneys Kevin B. Ross and Kristen Beckman to withdraw. Dan James would remain working in his various capacities within the case budget in place along with Mr. Wiley.

**CONCLUSION AND PRAYER FOR RELIEF**

For the foregoing reasons, Kevin B. Ross and Kristen Beckman, respectfully request that the Court grant this Motion to Withdraw, relieve counsel of any further obligations on the case and appoint Mr. Aaron L. Wiley as new CJA counsel.

Dated: December 4, 2020 ,

AGREED:

  
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CHRISTOPHER A. FAULKNER

Date: 12/4/20

Respectfully requested,

/s/ Kevin B. Ross  
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/s/ Kristen Beckman  
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**CERTIFICATE OF CONFERENCE**

I hereby certify that on December 7<sup>th</sup>, 2020, I conferred with AUSA Marcus Busch regarding said motion to withdraw and appoint new counsel. The Government is not opposed to this request.

/s/Kevin B. Ross  
KEVIN B. ROSS

**CERTIFICATE OF SERVICE**

I hereby certify that on December 7<sup>th</sup>, 2020, I certify that a true and correct copy of this Motion was filed via the Court's CM/ECF filing system which has sent notification of the filing of this Motion to all attorneys in this case.

/s/Kevin B. Ross  
KEVIN B. ROSS